

Albany  
Atlanta  
Brussels  
Denver  
Los Angeles

# McKenna Long & Aldridge LLP

Attorneys at Law

230 Park Avenue • Suite 1700 • New York, NY 10169  
Tel: 212.905.8300 • Fax: 212.922.1819  
[www.mckennalong.com](http://www.mckennalong.com)

New York  
Philadelphia  
Sacramento  
San Diego  
San Francisco  
Washington, D.C.

CHARLES E. DORKEY III  
(212) 905-8330

EMAIL ADDRESS  
[c dorkey@mckennalong.com](mailto:c dorkey@mckennalong.com)

OCT 12 2007

RECEIVED  
U.S. DISTRICT COURT  
NEW YORK CITY

October 11, 2007

**BY FEDEX**

The Honorable Victor Marrero  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Suite 660  
Courtroom 20B  
New York, NY 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>10-12-07</u>

Re: Nancy Feldman v. Bolivian Investors Group, Inc.  
Case No. 07 CV 6337 (VM)

Dear Judge Marrero:

I am counsel for defendant in this action, together with Mr. Glen Franklin Koontz of the law firm of Martin & Seibert, L.C. in Martinsburg, West Virginia. I write to request that the pretrial conference scheduled for October 19, 2007 at 12:00 p.m. be adjourned to one of the following dates at a time convenient to your Honor: November 2, November 9, November 30, December 7, or December 14. The postponement is requested because Mr. Koontz and I are unable to attend on October 19. Plaintiff's counsel does not object to this change and is available on these alternative dates.

The Defendant requests this postponement as we continue to try to reach an amicable settlement with plaintiff. Numerous conversations have occurred and offers of settlement have been made and are being considered.

Hon. Victor Marrero  
October 11, 2007  
Page 2

The Defendant also requests that this lawsuit be enrolled as part of the Southern District voluntary mediation program so that the parties may avoid litigation and reach a fair conclusion to avoid protracted litigation.

No previous application for this relief has been sought.

Respectfully yours,

Charles E. Dorkey III

cc: Daniel C. Moss, Esq. (by FedEx)  
Glen Franklin Koontz, Esq. (by FedEx)

Request GRANTED. The <u>next status</u> conference herein is rescheduled to <u>11-2-07</u> at <u>10:00</u> . The parties are directed to advise the Court at that time SO ORDERED, concerning the prospects of settlement.	
<u>10-12-07</u>	<u>VICTOR MARRERO, U.S.D.J.</u>
DATE	VICTOR MARRERO, U.S.D.J.